

City Council  
Agenda Memo



City Council  
Meeting Date: 9/12/2013

**TO:** Larry D. Gilley, City Manager

**FROM:** Jon James, AICP  
Director of Planning and Development Services

**SUBJECT:** Final reading and public hearing of an ordinance for Case No. Z-2013-23, a request from Hendrick Medical Center, agent Duane Martin, to rezone property from RS-12/COR (Single-Family Residential/Corridor Overlay) & NO/COR (Neighborhood Office/Corridor Overlay) to MU/COR (Medical Use/Corridor Overlay) zoning, located at 5302 & 5400 Buffalo Gap Rd and 5321 Ridgeline Dr.

**GENERAL INFORMATION**

Currently the property is zoned RS-12/COR & NO/COR. There are 2 homes located at 5400 Buffalo Gap Rd and 5321 Ridgeline Dr. The adjacent properties to the west & south are zoned RS-12/COR. Single-family homes exist to the west and a large church is located to the south. The property to the north is zoned PD/COR (Planned Development) and is developed as a small office complex. The properties to the east are zoned GR (General Retail) & PD and allow for a mix of retail and office uses. The developer plans to develop a medical office complex at this site. The requested MU zoning permits medical office, but also allows for a hospital use. Staff recommends considering O (Office) or NO (Neighborhood Office) zoning as an alternative.

The Future Land Use section of the Comprehensive Plan designates the general area as low density residential. Commercial uses currently exist to the north at the intersection of Chimney Rock & Buffalo Gap Rd. The Buffalo Gap Corridor Study recommends concentrating commercial & retail uses at intersections while allowing for office zoning at mid-block locations. The NO zoning was approved at 5400 Buffalo Gap based on the corridor study. The requested zoning to allow for medical offices would be compatible with the adjacent uses to the north as well as the Buffalo Gap Corridor Study.

**STAFF RECOMMENDATION**

Staff recommends approval of O (Office) or NO (Neighborhood Office) zoning instead of the MU (Medical Use) zoning.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval of MU zoning for 5302 & 5400 Buffalo Gap Rd only by a vote of 4 in favor (Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

August 30, 2013

Item No. 7.6

Disposition by City Council

Approved Ord/Res# \_\_\_\_\_

Denied \_\_\_\_\_

Other \_\_\_\_\_

\_\_\_\_\_  
City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 22<sup>nd</sup> day of August, A.D. 2013.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19<sup>th</sup> day of July, 2013, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 12<sup>th</sup> day of September, 2013 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 12<sup>th</sup> day of September, A.D. 2013.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

Rezone property from RS-12/COR (Single-Family Residential/Corridor Overlay) & NO/COR (Neighborhood Office/Corridor Overlay) to MU/COR (Medical Use/Corridor Overlay) district.

Legal Description:

A0248 SUR 99 JOHN SMITH, being approximately 6.54 acres



Location:  
5302 & 5400 Buffalo Gap Rd

-END-

# ZONING CASE Z-2013-23

## STAFF REPORT



### APPLICANT INFORMATION:

Hendrick Medical Center  
Agent: Duane Martin

### HEARING DATES:

Planning & Zoning Commission: August 5, 2013  
City Council 1<sup>st</sup> Reading: August 22, 2013  
City Council 2<sup>nd</sup> Reading: September 12, 2013

### LOCATION:

5302 & 5400 Buffalo Gap Rd and  
5321 Ridgeline Dr

### REQUESTED ACTION:

RS-12/COR & NO/COR to MU/COR zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 7.31 acres and is currently zoned RS-12/COR (Single-Family Residential/Corridor Overlay) & NO/COR (Neighborhood Office/Corridor Overlay). The subject property is currently developed with 2 homes on the southern portion of the property. The north portion of the property is vacant. These properties are all within the Buffalo Gap Corridor Overlay.

### ZONING HISTORY:

The area was annexed in 1963 and zoned RS-12 sometime after. The NO/COR zoning was approved at 5400 Buffalo Gap Rd in 2011.

### ANALYSIS:

#### • Current Planning Analysis

Currently the property is zoned RS-12/COR & NO/COR. There are 2 homes located at 5400 Buffalo Gap Rd and 5321 Ridgeline Dr. The adjacent properties to the west & south are zoned RS-12/COR. Single-family homes exist to the west and a large church is located to the south. The property to the north is zoned PD/COR (Planned Development) and is developed as a small office complex. The properties to the east are zoned GR (General Retail) & PD and allow for a mix of retail and office uses. The developer plans to develop a medical office complex at this site. The requested MU zoning permits medical office, but also allows for a hospital use. Staff recommends considering O (Office) or NO (Neighborhood Office) zoning as an alternative.

#### • Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates the general area as low density residential. Commercial uses currently exist to the north at the intersection of Chimney Rock & Buffalo Gap Rd. The Buffalo Gap Corridor Study recommends

concentrating commercial & retail uses at intersections while allowing for office zoning at mid-block locations. The NO zoning was approved at 5400 Buffalo Gap based on the corridor study. The requested zoning to allow for medical offices would be compatible with the adjacent uses to the north as well as the Buffalo Gap Corridor Study.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval of O (Office) or NO (Neighborhood Office) zoning instead of the MU (Medical Use) zoning.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission recommends approval of MU zoning for 5302 & 5400 Buffalo Gap Rd only by a vote of 4 in favor (Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 2 abstained (Todd & Yungblut).

**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
DOUGH BOYS INC	5233 BUFFALO GAP RD	
RENT CITY PROPERTIES LP	5200 BUFFALO GAP RD	
LAZY T LAND & CATTLE LLC	5200 BUFFALO GAP RD	
DRCSMILES LLC	5317 BUFFALO GAP RD	
LINN GARY G & LISA M	5200 BUFFALO GAP RD	
KIRKMAN SAMUEL E SR & MARTHA	5333 BUFFALO GAP RD	
TAYLOR CHARLES M III	3426 MABRAY LN	
FIORENZA JOSEPH A REV	5410 BUFFALO GAP RD	
BLOOMER CHARLES R	5200 BUFFALO GAP RD	
FIRST AMERICAN BANK SSB	5257 BUFFALO GAP RD	
CITY OF ABILENE		
HALEY MARILYN KAY KNOPP	3290 WOODHOLLOW CR	
ROSTVOLD STACY	3294 WOODHOLLOW CR	
MINNICK JEFFERY L & SANDRA A	3282 WOODHOLLOW CR	In Favor
ABILENE GAP ASSOCIATES LLC	5201 BUFFALO GAP RD	
LINN GARY G & LISA M	5200 BUFFALO GAP RD	
TEDFORD RODNEY & OLIVIA	5312 RIDGELINE DR	
HUFF JOHNNY MILTON & RENEE T	5400 RIDGELINE DR	
LAUGHLIN ROY M & MARGARET B	5125 FAIRFIELD PL	
SENCO INC	5321 RIDGELINE DR	In Favor
MORLEY RONALD B & FAITH N	3434 MABRAY LN	
MC COLLUM CHARLENE	5203 RIDGELINE DR	
BLAKELY ADELL	5133 FAIRFIELD PL	
LEACH KATRINA ANN	5301 RIDGELINE DR	
DENSON MICHAEL	5315 RIDGELINE DR	
BURNETT BURT	5400 BUFFALO GAP RD	
LONGACRE DUDLEY B	5209 RIDGELINE DR	
B SENTER PROPERTIES LTD	5302 BUFFALO GAP RD	In Favor
DRCSMILES LLC	5309 BUFFALO GAP RD	

3 in Favor- **Y**  
0 Opposed- **N**









